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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,370	01/05/2004	Hui Yan	54151/292821	2211

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EXAMINER

DEPUMPO, DANIEL G

ART UNIT

PAPER NUMBER

3611

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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10/751 370

EXAMINER
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ART UNIT	PAPER
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20050328

DATE MAILED:

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**Commissioner for Patents**

The reply filed on 2/17/05 is not fully responsive to the prior Office Action because: Applicant has merely indicated that certain claims are allegedly generic, but has not elected a single disclosed species for prosecution on the merits. This is the second nonresponsive reply. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

In the communication mailed 11/9/04, applicant was specifically advised that a reply to the requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon. Applicant was further advised that an argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Daniel G. DePumpo  
Primary Examiner  
Art Unit: 3611